

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OLUKAYODE DAVID OJO,

Plaintiff,

-against-

THOMAS DECKER, *et al.*,

Defendants.

20-CV-3221 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff initiated this action in this Court by asserting claims under *Bivens v. Six Unknown Named Fed. Narcotics Agents*, 403 U.S. 388 (1971), concerning events occurring at the Elizabeth Detention Center in Elizabeth, New Jersey. (ECF 2.) On April 28, 2020, Judge Colleen McMahon determined that the District of New Jersey was the proper venue and transferred the action to the District of New Jersey. (ECF 3.) After the District of New Jersey opened a new civil action in that court, Plaintiff filed an amended pleading, which raised six different, unrelated claims. (See ECF 4-4.) The district court determined that one of those claims arose in this District, specifically claims related to Plaintiff's immigration proceedings. (ECF 4.) The district court found that this District was the proper venue because Plaintiff had been transferred to the Orange County Jail. (*Id.*)

On June 3, 2021, Plaintiff filed a "consent to electronic service" and provided a non-custodial address, indicating that Plaintiff is no longer detained at Orange County Jail. (ECF 5.) Thus, because it is unclear whether Plaintiff's immigration-related claims are pending, the Court grants Plaintiff 30 days' leave to file a second amended complaint detailing any claims that arose in this District concerning his immigration proceedings.

CONCLUSION

The Court grants Plaintiff 30 days' leave to file a second amended complaint.

The Court directs the Clerk of Court to mail a copy of this order to Plaintiff and note service on the docket.

Dated: June 15, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge